IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)
	Plaintiff,) 8:09CR87)
	vs.) DETENTION ORDER
GE	ENARO CANO-MANZO,) }
	Defendant.)
A.	. <u>Order For Detention</u> After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on April 8, 2009 (Filing No. 15), the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	distribute methamphetan carries a minimum sen maximum of life impris distribute methamphetan 841(a)(1) carries a minir and a maximum of forty (b) The offense is a crime o (c) The offense involves a minimum of forty	and includes the following: be offense charged: by to distribute and possess with intent to nine (Count I) in violation of 21 U.S.C. § 846 tence of ten years imprisonment and a sonment; the possession with intent to mine (Count II) in violation of 21 U.S.C. § mum sentence of five years imprisonment years imprisonment. f violence.
	may affect whet The defendant h X The defendant h X The defendant h X The defendant is X The defendant ties. Past conduct of The defendant h The defendant h The defendant h The defendant h	appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. It is not a long time resident of the community. However, the defendant: has a history relating to drug abuse. Has a history relating to alcohol abuse. Has a significant prior criminal record. Has a prior record of failure to appear at

DETENTION ORDER - Page 2

(b) At the time of the current arrest, the defendant was on:Probation	
Parole Release pending trial, sentence, appeal or completion of sentence.	
(c) Other Factors:	
X The defendant is an illegal alien and is subject to	
deportation The defendant is a legal alien and will be subject to	
deportation if convicted.	
X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:	
X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the charges in the Indictment.	
X (5) Rebuttable Presumptions	
In determining that the defendant should be detained, the Court also relie	
on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) which the Court finds the defendant has not rebutted:	
X (a) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety	
of any other person and the community because the Court finds that	
the crime involves:	
(1) A crime of violence; or X (2) An offense for which the maximum penalty is life	
X (2) An offense for which the maximum penalty is life imprisonment or death; or	
X (3) A controlled substance violation which has a maximum	
penalty of 10 years or more; or	
(4) A felony after the defendant had been convicted of two	
or more prior offenses described in (1) through (3)	
above, <u>and</u> the defendant has a prior conviction for one	
of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed	
while the defendant was on pretrial release.	
X (b) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety	
of the community because the Court finds that there is probable	
cause to believe:	
X (1) That the defendant has committed a controlled	
substance violation which has a maximum penalty of 10 years or more.	
(2) That the defendant has committed an offense under 18	
U.S.C. § 924(c) (uses or carries a firearm during and in	
relation to any crime of violence, including a crime of	
violence, which provides for an enhanced punishment	
if committed by the use of a deadly or dangerous	
weapon or device).	

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

DETENTION ORDER - Page 3

- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: April 8, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge